

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNITED MICROELECTRONICS
CORPORATION; FUJIAN JINHUA
INTEGRATED CIRCUIT, CO., LTD.;
CHEN ZHENGKUN, a.k.a. STEPHEN
CHEN; HE JIANTING, a.k.a. J.T. HO; and
WANG YUNGMING, a.k.a. KENNY
WANG,

Defendant.

Case No. [18-cr-00465-MMC-1](#)

**ORDER FOR CRIMINAL PRETRIAL
PREPARATION**

Good cause appearing, IT IS HEREBY ORDERED that:

JURY TRIAL:

Trial will begin on **Monday, August 9, 2021, at 9:00 a.m.** Estimated length of trial is Four to Eight weeks.

DISCOVERY:

See order filed October 2, 2020.

PRIOR TO FILING ANY DISCOVERY-RELATED MOTIONS, COUNSEL SHALL:

1. Meet and confer with opposing counsel, and
2. File a declaration, under penalty of perjury, that counsel has conferred with opposing counsel with respect to each and every issue on an informal basis. Said declaration may be filed contemporaneously with the motion. If no such declaration is filed, the motion papers will not be considered.

DISCOVERY/DISPOSITIVE MOTIONS:

All motions other than in limine/Daubert motions will be heard on **Wednesday, May 26, 2021 at 2:15 P.M.** Any such motion shall be filed by the moving party no later than April 21, 2021. Any opposition shall be filed no later than **by May 5, 2021**. Any reply shall be filed no later than May 12, 2021.

PRETRIAL CONFERENCE:

A Pretrial Conference will be held on **Tuesday, July 13, 2021, at 10:00 a.m.** At the Pretrial Conference the parties shall be prepared to discuss the matters set forth in Criminal Local Rule 17.1-1(b).

IN LIMINE/DAUBERT MOTIONS:

All in limine/Daubert motions will be heard on **Tuesday, July 13, 2021, at 10:00 A.M.** Any such motion shall be filed on June 8, 2021. Any opposition shall be filed no later than June 22, 2021. Any reply shall be filed not later than June 29, 2021.

Each in limine motion shall be *numbered* and shall be submitted as a *separate filed document*.

PRETRIAL PREPARATION:

By **June 29, 2021** the parties shall file:

- (1) a Joint Pretrial Conference Statement pursuant to Criminal Local Rule 17.1-1 as modified by the above;
- (2) Joint Factual Stipulations;
- (3) proposed Juror Questionnaires;
- (4) proposed Voir Dire Questions;
- (5) proposed Verdict Forms.

JURY INSTRUCTIONS:

All proposed jury instructions and any objections thereto are to be filed no later than June 29, 2021.

In advance of the pretrial filings the parties shall:

- (1) Meet and confer and resolve all jury instructions to the extent possible. The parties are expected to resolve technical or semantic differences.
- (2) Prepare **one joint** set of instructions upon which the parties agree.
- (3) Submit separately only those instructions upon which there is substantive disagreement, and file any written objection in accordance with the following:
 - (a) set forth in full the instruction to which the objection is made;
 - (b) provide concise argument and citation to authority explaining why the instruction is improper;
 - (c) set forth in full an alternative instruction, if any.
- (4) Submit only instructions that are concise, understandable and neutral statements of law; argumentative instructions will not be given and should not be submitted.
- (5) Identify any modifications made to the original form of any Ninth Circuit Model Jury Instruction or other pattern instruction and provide the authority supporting the modification.

TRANSCRIPTS:

If transcripts will be requested during or immediately after trial, arrangements must be made with the court reporter at least **one week** before trial commences.

CHANGE OF PLEA:

Defendant's counsel shall give prompt notice to the United States Attorney and to the Court of any intention to change a previously entered not guilty plea.

EXHIBITS:

No later than five court days before the pretrial conference each party shall lodge copies of all exhibits to be offered at trial, together with a complete list (**see attached form**) of those exhibits. Each exhibit shall be premarked with an exhibit sticker (**see attached form**), the government's with numbers and defendant's with letters.


Upon the conclusion of the trial, the parties shall retain their respective exhibits. Should an appeal be taken, it is the party's responsibility to make arrangements with the Clerk of Court to file the record on appeal.

CHAMBERS COPIES:

Unless General Order 72-6 is still in effect, chambers copies of all filed documents shall be marked "Chambers Copy" and submitted to the Court no later than noon on the business day following the filing.

IT IS SO ORDERED

Dated: October 6, 2020



MAXINE M. CHESNEY
Senior United States District Judge

Attachments

[illegible]

Case No. _____ PLTF Exhibit No. <u>1</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>A</u> _____ Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>2</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>B</u> _____ Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>3</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>C</u> _____ Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>4</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>D</u> _____ Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>5</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>E</u> _____ Date Admitted _____ Signature _____
Case No. _____ PLTF Exhibit No. <u>6</u> _____ Date Admitted _____ Signature _____	Case No. _____ DEFT Exhibit No. <u>F</u> _____ Date Admitted _____ Signature _____